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ABSTRACT

This newsletter considers provisions for youth with disabilities through the Higher Education Amendments of 1992. Some of the provisions directly relate to youth with disabilities who are in transition from secondary to postsecondary education, while other provisions of the amendments can help high school teachers and support services staff improve their skills in preparing and counseling youth with disabilities for the transition to higher education. The legislation allows for development of programs serving students with disabilities that involve partnerships between schools, colleges, and universities. Specific provisions also allow college work-study students to perform mentoring and support services to students with disabilities. Urban community service grants can be made to colleges to address problems faced by individuals with disabilities. The legislation outlines direct financial aid provisions, with special provisions for youth with disabilities. Information is included on services that can be funded through a Student Support Services program. Provisions for public information and for telecommunications services and a national clearinghouse to broaden awareness of postsecondary education opportunities are also described. (SW)

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National Transition Network

Policy Update

Summer 1995

Higher Education Amendments of 1992

Provisions for Youth with Disabilities in Higher Education

On July 23, 1992 the Congress of the United States enacted into law the Higher Education Amendments of 1992 (P. L. 102-325), reauthorizing the original Higher Education Act of 1965. Perhaps the most dramatic change in the Higher Education Act over twenty-seven years was the shift from an Act which primarily supported higher education through the purchase of things, such as buildings and books, to an Act which supports primarily by investing in people, through student aid and support programs. The 1992 appropriation for programs authorized by the Higher Education Act was $15.3 billion dollars. Of these funds, 97% was for student assistance programs authorized by Title IV. Several sections of the Act, largely within Title IV, contain provisions that relate to youth with disabilities who are in the transition period from secondary to postsecondary education. There are also provisions that are of interest to high school teachers and support services staff who want to improve their skills in preparing and counseling youth with disabilities for the transition to higher education, and provisions for higher education faculty and administrators who serve youth with disabilities in higher education settings. The purpose of this Policy Update is to present these key provisions and briefly discuss their implications.

(Note: Unless Congress appropriates money for these programs, they exist on paper only. Since 1992, a great deal has changed and is changing, and appropriations have not been passed for all programs.)

■ Community Service

Several sections of the Act contain provisions that support the use of college students to perform community service to youth with disabilities. These provisions may be important to you if you are a parent of a child with a disability, or if you work with students with disabilities in a high school, *and* if you live in a community that has a postsecondary institution (community college or four-year college or university). By living close to a postsecondary institution, you may receive one or more of the services outlined below if that institution has applied for and received dollars to support them.

School, College, and University Partnerships

This provision, Part A of Title I of the Act, is intended to encourage partnerships between institutions of higher education or state higher education agencies and secondary schools that serve low-income and disadvantaged students. Partnerships may include representation from businesses, labor organizations, professional associations, community-based organizations, public television stations or other telecommunications entities, and other public or private agencies or organizations. These partnerships are funded through a competitive grant process. Of key interest here is language specifying that preferential treatment will be given to applications whose purpose is to develop—

> *programs which will serve educationally disadvantaged students; students with disabilities; potential dropouts, pregnant adolescents and teenage parents; children of migratory agricultural workers or of migratory fisherman; or students whose native language is other than English; (Section 103 [c] (3)).*

Work-Study Programs

Part C of Title IV outlines the federal work-study program. A significant amendment to the work-study provisions in earlier versions of this Act requires that a certain portion of work-study dollars received by a

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postsecondary institution be dedicated to students who perform community services. Section 441 defines community services as services—

> *designed to improve the quality of life for community residents, particularly low-income individuals, or to solve particular problems related to their needs.*

This section goes on to target health care, child care, literacy training, and recreation as areas that work-study students may work. The law also describes the kinds of community services work-study students may perform including mentoring and "support services to students with disabilities."

Urban Community Service

Part A of Title XI of the Act establishes grants to postsecondary institutions in urban areas "to work with private and civic organizations to devise and implement solutions to pressing and severe problems in their communities." Section 1104 outlines thirteen "allowable activities" upon which grants can focus ranging from work force preparation, health care, housing, and environmental concerns. Two of these thirteen activities read—

> *(5) Problems faced by the elderly and individuals with disabilities in urban settings.*
>
> *(13)(A) Problems faced by individuals with disabilities regarding accessibility to institutions of higher education and other public and private community facilities; and (B) Amelioration of existing attitudinal barriers that prevent full inclusion of individuals with disabilities within their community.*

Student Literacy and Mentoring Corps

Part B, Subpart 2 of Title XI provides for grants to postsecondary institutions to establish student literacy and mentoring corps programs. In describing how a grant application must be written by an institution, the applicant must provide adequate assurances that—

> *(iv) the institution will locate such tutoring services in one or more public community agencies which serve educationally or economically disadvantaged individuals, and will give priority in providing tutoring services to—*
>
> *(I) educationally disadvantaged students receiving services under chapter 1.*

Summary

These four sets of programs provide parents and professionals who work in secondary and adult settings with an opportunity to receive services from students in postsecondary institutions. In every one of these programs, however, the institution must apply for and receive competitive grants to support these programs. Thus, if you live in a community that has a two-year or four-year postsecondary institution, you may want to contact the student services office or their grant management office and ask if the institution has received any grants under any of these four provisions. If they have, and it is very likely that they will have received, at a minimum, federal work-study dollars, you may find excellent opportunities to receive services for students who are in the transition from school to work or postsecondary education.

■ Financial Aid for Students

Two sections of the Act outline direct financial aid provisions, with special provisions for youth with disabilities.

Federal Trio Programs

This provision supports three early outreach and student services programs: Talent Search, Upward Bound, and Student Support Services. Appearing in Title IV, Subpart 2, Chapter 1 of the Act, all three of these programs are targeted toward educationally disadvantaged, underserved populations. However, the Student Support Services program (Section 402D) contains requirements that are specific to students with disabilities. Under the *Program Authority* section, programs are to be designed, in part, "to foster an institutional climate supportive of the success of low-income and first generation college students and individuals with disabilities." A Student Support Services program may provide services such as:

> *(1) instruction in reading, writing, study skills, mathematics, and other subjects necessary for success beyond high school;*
> *(2) personal counseling;*
> *(3) academic advice and assistance in course selection;*
> *(4) tutorial services and counseling;*
> *(5) exposure to cultural events and academic programs not usually available to disadvantaged students;*
> *(6) activities designed to acquaint students participating in the project with the range of career options available to them;*
> *(7) activities designed to assist students participating in the project in securing financial aid for enrollment in graduate and professional programs;*
> *(8) activities designed to assist students currently enrolled in 2-year institutions in securing admission and financial assistance for enrollment in a four year program;*

(9) mentoring programs involving faculty or upper class students; and

(10) programs and activities as described in paragraphs (1) through (9) which are specially designed for students of limited English proficiency.

Provisions were also included to require that not less than two-thirds of participants in this program be either individuals with disabilities or low-income first-generation students, and not less than one-third of the individuals with disabilities be low-income individuals. This provision is intended to encourage programs to place a priority on seeking out and serving low-income students with disabilities.

Need Analysis

In determining a student's need for financial assistance under Title IV of the Act, the "cost of attendance" for a student with a disability will now include an allowance (as determined by the institution) for those expenses related to the student's disability, including special services, personal assistance, transportation, equipment, and supplies that are reasonably incurred and not provided for by other assisting agencies. (Section 472 [9]).

■ Public Information

Title IV, Subpart 2, Chapter 5 of the Act provides for a contract to be given out—

to establish and maintain —

(1) a computerized database of all public and private financial assistance programs, to be accessible to schools and libraries through either modems or toll-free telephone lines; and

(2) a toll free information line, including access by telecommunications devices for the deaf (TDD's), to provide individualized financial assistance information to parents, students, and other individuals, including individuals with disabilities, and to refer students with disabilities and their families to the postsecondary clearinghouse that is authorized under section 633(c) of the Individuals with Disabilities Education Act.

This program is designed to broaden the early awareness of post secondary education opportunities and to encourage economically disadvantaged, minority, or at-risk individuals to seek higher education, and to seek counseling related to higher education and financial assistance at public schools and libraries. Financial Aid hotlines are • 800-433-3243 (voice) • 800-730-8923 (TDD).

■ Telecommunications Access

Access and Equity

Part C of Title I of the Act is designed to improve access and equity to postsecondary education for all Americans through telecommunications media. This is a program in which grants will be given to recipients who must, among other provisions, document in their grant application—

(5) the manner in which special services, including captioned films, television, descriptive video, and education media for individuals with disabilities, shall be supported. (Section 132).

In awarding grants under this program, priority will be given to applicants who make such media available to individuals with disabilities who lack access to such telecommunications services. In addition, priority will be given to accredited programs that include these kinds of telecommunications services.

National Clearinghouse

Part B of Title XV creates a National Clearinghouse to coordinate the production and distribution of educational materials in an accessible form, especially audio and digital text production, to college and university based populations who have a print-related disability. This Clearinghouse will —

(1) catalog in computer-readable form post-secondary education materials;

(2) identify college campus-based services producing taped texts whose technical and reader quality make them eligible for inclusion in the Clearinghouse and share its quality control standards with campus-based student support services offices serving students with disabilities;

(3) promote data conversion and programming to allow the electronic exchange of bibliographic information between existing on-line systems;

(4) encourage outreach efforts that will educate print-disabled individuals, educators, schools, and agencies about the Clearinghouse's activities;

(5) upgrade existing computer systems at the Clearinghouse;

(6) coordinate with identifiable and existing data bases containing postsecondary education materials; and

(7) develop and share national guidelines and standards for the production of audio and digital text materials.

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■ Conclusion

Parents and professionals who are concerned about the transition of youth with disabilities to work and community life should take heart in the strength of the provisions for students with disabilities in these most recent amendments to the Higher Education Act. These provisions enhance community services by college students, increase direct financial aid to youth with disabilities, and increase access to postsecondary education through telecommunications media It is essential, however, to determine if Congress has appropriated funds for programs of interest. It must be remembered that the Higher Education Act and these most recent amendments, are not entitlement programs. Postsecondary institutions must apply for and win competitive grants to provide all of the services outlined above.

Additional sources of information that discuss these provisions include:

- **New Provisions in the Higher Education Act for Students with Disabilities**, published by the Council for Exceptional Children, Office of Governmental Relations • (703) 264-9410.
- **Capitol Connection Policy Newsletter** (Spring 1993 edition), published by the Council for Exceptional Children, Division on Career Development and Transition • (202) 994-1536.

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